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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,528	08/06/2001	Peter A. Barany	NORT0093US(13555RRUS02U	1535

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Dan C. Hu  
TROP, PRUNER & HU, P.C.  
8554 Katy Freeway, Ste. 100  
Houston, TX 77024

EXAMINER

CHANG, RICHARD

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

4

<b>Office Action Summary</b>	<b>Application No.</b> 09/923,528	<b>Applicant(s)</b> BARANY ET AL.	
	<b>Examiner</b> Richard Chang	<b>Art Unit</b> 2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 October 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17-21 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the system (invention). For further examination examiner currently interprets all subject matters listed as part of the system.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-15 and 20-21 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by US patent 6,594,276 ("Le").

Regarding Claim 1, Le teaches a method for converting real-time multimedia information (data) formatted into packet form to facilitate transmission of the information on a radio channel in a spectrally-efficient manner (communicating data over a wireless link between a mobile station and a wireless access system) (See Fig. 1, Col. 3, lines 1-5), comprising of

communicating, over the wireless link (114), control signaling for a User Datagram Protocol (UDP) layer (106) runs on an Internet Protocol (IP) layer (108) which is operable to format the data segments according to the IP protocols (setting up packet-switched communications session) between the mobile station (12) and an Access Network Infrastructure (ANI) (34 including an endpoint) (See Fig. 3, Col. 8, lines 52–59),

communicating packets containing real-time data over the wireless link (114) (See Fig. 3, Col. 8, lines 61–63), and

removing the Realtime Transport Protocol (RTP) header generated at the RTP layer (104 at least one protocol header associated with packet-switched communications from each packet) before providing to the lower layers (66), communicating the packet over the wireless link (See Fig. 3, Col. 9, lines 10–16).

Regarding claim 2, Le further teaches that removing the RTP header (at least one protocol header) is performed by the converter (116) in the ANI (34, a radio network controller) (See Fig. 3, Col. 9, lines 41–44).

Regarding claims 3 and 4, Le further teaches that the method is based on the General Packet Radio Service (GPRS) access network infrastructure (ANI), inherently, at least one protocol header is performed by a GSM/EDGE radio access network (GERAN) radio network controller or at least one protocol header is performed by a UMTS radio access network (UTRAN) radio network controller (See Fig. 3, Col. 6, lines 33–37).

Regarding claim 5-6, Le further teaches that the RTP, UDP and IP headers (at least one protocol header) are removed by the converter (112) in the mobile station (12, a radio network controller) (See Fig. 6, Col. 11, lines 19-20).

Regarding claim 7, Le further teaches that communicating the packets containing real-time data comprises communicating packets containing a data payload (296) such as voice data (See Fig. 3, Col. 9, lines 13-16).

Regarding claim 8, Le further teaches that an implementation in which the upper logical layers of the control plane (an article) are as the upper level layers of a laptop computer (See Fig. 2, Col. 7, lines 8-14), inherently comprising at least one storage medium containing instructions that when executed cause a system to:

receive real-time data over a wireless link (16-18), the real-time data associated with an IP (packet-switched communications) session,

construct IP header (at least one protocol header) for the IP (packet-switched communications session), and

communicate the IP header (at least one protocol header) and the real-time data in packets in the IP (packet-switched communications) (See Fig. 2, Col. 7, lines 43-47).

Regarding claims 9-11, Le further teaches that the instructions when executed cause the system to construct a User Datagram Protocol header (UDP), a Internet Protocol (IP) header and Real-Time Protocol (RTP) header (See Fig. 8, Col. 12, lines 39-46).

Regarding claim 17, Le further teaches that a system for use in a wireless communication comprising:

a lower lever adaptator (66 as interface) to a wireless link (114),  
an adaptation layer (54) which is operable to perform converting functions  
storage module to store information relating to an IP (packet-switched  
communications) session between a mobile station (12) and another endpoint (14),  
the lower layers (68 as interface) to receive real-time data associated with the IP  
(packet-switched) communications session, and  
a radio network controller (502, controller) adapted to construct the RTP header  
(at least one protocol header associated with the packet-switched communications  
session) based on the table in decompressor (506) (information) and to communicate  
packets containing the RTP header (at least one protocol header and the real-time  
payload (data) (See Fig. 10, Col. 8, lines 52–59).

Regarding claims 18-19, Le further teaches that the adaptors (328 as controller)  
is operable in logical channel setup to receive and memorize the non-changing values  
of the RTP, UDP and IP fields (configuration message containing the information) (See  
Fig. 8, Col. 12, lines 39-46).

Regarding claim 20, Le further teaches that the adaptors (328 as controller) is  
operable in logical channel setup to receive and memorize the non-changing values of  
the UDP and IP fields (configuration message containing the information) (See Fig. 8,  
Col. 12, lines 39-46).

Regarding claims 12-15 and 20-21, Le further teaches that the instructions when  
executed cause the ANI (system or controller) to receive a value (first configuration  
message containing information) relating to the IP header (at least one protocol

header), construct the IP header (at least one protocol header) based on the received value (information in the first configuration message), send real-time data over the wireless link (114) to a mobile station (12 entity) and send a value (second configuration message) to a mobile station (12 entity) coupled over the wireless link (114) to enable construction of IP protocol headers for real-time data sent by the ANI (system) to the mobile station (12 entity) infrastructure at the special channel set up time and at time of handoff to another ANI (indicate a change in the packet-switched communication session) (See Fig. 3, Col. 9, lines 17-30).

#### ***Allowable Subject Matter***

5. Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if no art rejection can be applied.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Chang whose telephone number is (571) 272-3129. The examiner can normally be reached on Monday - Friday from 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2663

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*rk*  
rk

Richard Chang  
Patent Examiner  
Art Unit 2663

  
RICKY NGO  
PRIMARY EXAMINER